

***Miami-Dade County Board of County Commissioners***

***Office of the Commission Auditor***

**Supplemental Legislative Analysis**

**Board of County Commissioners**

Tuesday, June 7, 2005  
9:30 AM  
Commission Chamber

Charles Anderson, CPA  
Commission Auditor

111 NW First Street, Suite 250  
Miami, Florida 33128  
305-375-4354

**LEGISLATIVE ANALYSIS**

*ITEM 5(AA) Ordinance changing boundaries of City of Florida City*

Infrastructure and Land Use Committee

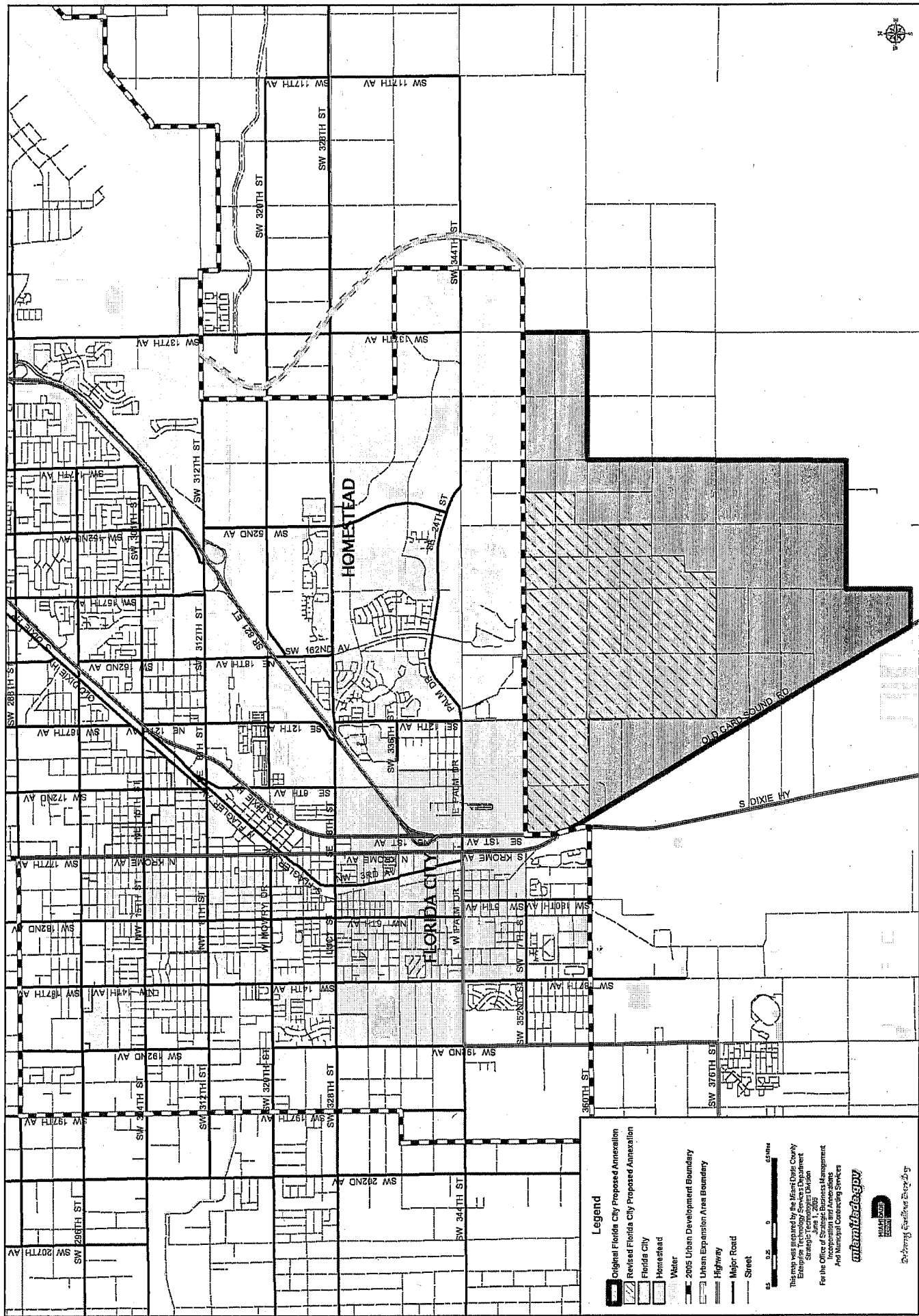
*ITEM ALT. 5(AA) Ordinance changing boundaries of City of Florida City*

Commissioner Dennis C. Moss

**I. SUMMARY**

- A map (attachment) has been provided to illustrate the respective boundaries for the Florida City Annexation.
  - The map includes:
    - The Current Florida City Boundaries
    - The Original Florida City Proposed Annexation
    - The Alternative Florida City Proposed Annexation
    - The 2005 Urban Development Boundary
    - The Urban Expansion Area Boundary

# Miami-Dade County Florida City Proposed Annexation



## **LEGISLATIVE ANALYSIS**

*ORDINANCE AMENDING SECTION 8-4 OF THE CODE RELATING TO THE AUTHORITY OF THE BOARD OF RULES AND APPEALS; AMENDING SECTION 8-5 OF THE CODE RELATING TO UNSAFE STRUCTURES; MODIFYING THE AUTHORITY OF THE UNSAFE STRUCTURES BOARD; ESTABLISHING UNSAFE STRUCTURES APPEALS PANELS; PROVIDING FOR CERTAIN APPEALS TO UNSAFE STRUCTURES APPEAL PANELS*

Building Department

### **I. SUMMARY**

This Ordinance amends Sections 8-4 and 8-5 of the Code allowing for unsafe structures appeal hearings involving single family homes, duplex residences and certain accessory structures throughout the unincorporated areas of Miami-Dade County to be conducted by a panel of hearing officers instead of the Unsafe Structure Board. Municipalities may elect to do the same.

### **II. PRESENT SITUATION**

Presently, appeals go before the quasi-judicial Unsafe Structures Board (the "Board") which has the exclusive jurisdiction in both the incorporated and unincorporated areas of Miami Dade County. An average of 25-35 appeal cases involving unincorporated areas go before the Unsafe Structures Board per year. The majority are either appeals from owners who have been ticketed for having an unsafe structure, or from building officials who would like the Board to review a case.

The Board has cancelled 5 of the 22 regularly scheduled meeting over the past two calendar years, causing delays in the processing time of appeals.

### **III. POLICY IMPLICATIONS**

If the proposed one year pilot program is ratified, the Unsafe Structures Board will continue to have jurisdiction in the incorporated areas unless the municipality elects to participate in the program. The Unsafe Structures Appeals Panel, composed of three hearing officers and an ex-officio, non-voting member from the Unsafe Structures Board acting as a liaison, will assume jurisdiction in the unincorporated areas of Miami-Dade County. The adoption of the proposed amendment will have the added benefit of:

- a reduction in the average processing time of appeals
- appeal hearings at least twice per month
- the establishment of multiple appeal panels
- flexibility in time and frequency in scheduling appeal hearings
- the Clerk of the Court can choose from a pool of eligible hearing officers

#### **IV. ECONOMIC IMPACT**

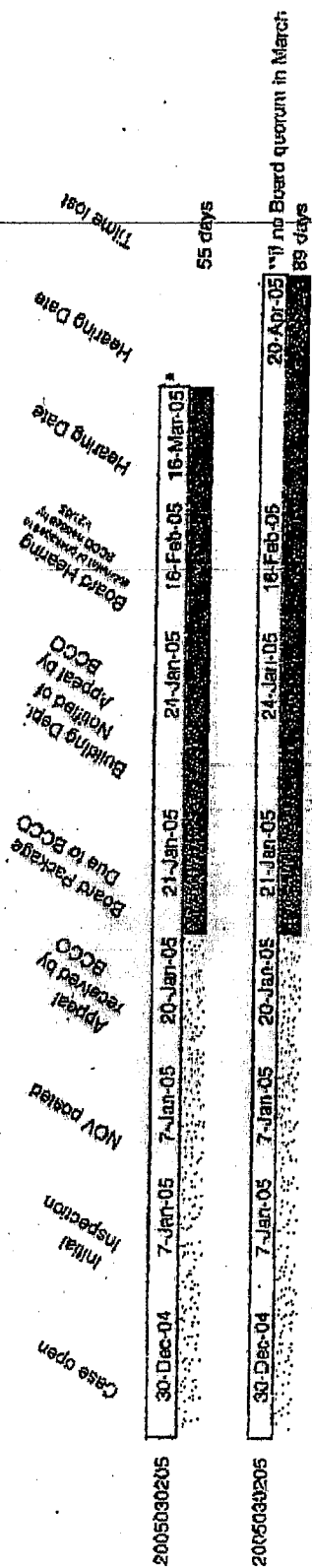
The anticipated reduction in case processing costs is estimated to result in a minimum annual savings to the County of approximately \$70,000 (see attachment).

Staff projects the County would incur no additional costs in the pilot program processing appeal cases.

#### **V. COMMENTS AND QUESTIONS**

The Building Department will evaluate the alternate appeal process one year after its implementation. At which time either a recommendation to continue the process and expand its use to commercial properties, or to return the appeal process under the jurisdiction of the Board.

# US BOARD HEARING PROCESSING TIMELINE



\* Under a hearing officer system, a minimum of 30 days will be saved  
 \*\* Under a hearing officer system, a minimum of 60 days will be saved

Under a hearing officer system we plan to have hearing twice a month. Therefore we will have 16 hours of available hearing time versus 4 hours under the US Board system

Currently, as of March 8, there are 47 Potential cases that can be heard in the May hearing

Cost comparison	Monthly	Yearly
Hearing Officer cost	\$2,400.00	\$28,800.00
Recording Secretary salaries	\$4,462.34	\$89,612.46
Ancillary cost	\$4,800.00	\$57,600.00
		based on 2 hearings a month
		2 positions (Salary + Fringe benefits)
		notification, posting of hearing cost, posting of Board Orders and the recorder cost based on 384 cases
		Estimated yearly Building Department cost for processing 384 cases
Payment to BCCO during FY 02-03 for proc. 380 cases	\$228,229.00	\$156,012.45
		Estimated yearly Building Department cost for processing 384 cases
		Represents a savings per year on the same number of cases with a reduction in the average processing time.